

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

RUTH SMITH, Individually and as Widow for the	)	
Use and Benefit of Herself and the Next Kin of	)	
Richard Smith, Deceased,	)	
	)	
Plaintiff,	)	Civil No. 3:05-0444
	)	Judge Aleta A. Trauger
v.	)	(Dist. Of MA No.
	)	1:05-cv-11515PBS)
PFIZER, INC., <i>et al.</i> ,	)	
	)	
Defendants.	)	

**DECLARATION OF MARK S. CHEFFO IN SUPPORT OF DEFENDANTS'  
MOTION *IN LIMINE* TO EXCLUDE THE TESTIMONY OF CHARLES KING**

I, Mark S. Cheffo, declare and state as follows:

1. I am a partner with the law firm of Skadden, Arps, Slate, Meagher & Flom LLP, counsel for Defendants Pfizer Inc and Warner-Lambert Company LLC. I make this declaration based on my own personal knowledge and information.

2. Attached as Exhibit A is a true and correct copy of excerpts from the expert report for Charles King, III.

3. Attached as Exhibit B is a true and correct copy of excerpts from the October 28, 2008, deposition of Charles King, III.

4. Attached as Exhibit C is a true and correct copy of excerpts from the transcript of the April 1, 2010, trial proceedings in the case *Shearer v. Pfizer*.

Signed under the penalties of perjury this 16<sup>th</sup> day of April, 2010.

  
Mark S. Cheffo

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 16<sup>th</sup> day of April 2010, I electronically filed the foregoing document with the Clerk of the Court, United States District Court for the Middle District of Tennessee, using the CM/ECF system. True and correct copies of the foregoing documents are being served via the Court's CM/ECF system on the following:

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